IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE PIUS C.KURIAKOSE

MONDAY, THE 6TH AUGUST 2007 / 15TH SRAVANA 1929

CRP.No. 2026 of 2000(A)

LB(B).2-24/1988 of LAND BOARD OF KERLA, TRIVANDRUM
.....

REVN. PETITIONER/ CLAIMANT

MURIKKAL PADINHATTAYIL KUN HIKKANNAN,
AGED 50 YEARS, S/O. KELU NAIR,
ERAMAM AMSOM DESOM, TALIPARAMBA TALUK

BY ADV. SRI.T.A.RAMADASAN
SMT.S.ANITHA

RESPONDENTS/ RESPONDENT AND STATE
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1. **LAND BOARD, TRIVANDRUM.**

2. **STATE OF KERALA, REP.BY**
CHIEF SECRETARY TO GOVT. OF KERALA,
THIRUVANANTHAPURAM

BY GOVERNMENT PLEADER SRI.SHYSON P.MANGUZHA

THIS CIVIL REVISION PETITION HAVING BEEN FINALLY HEARD ON 06/08/2007, ALONG WITH CRP NO. 2027 OF 2000 AND CONNECTED CASES THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

PIUS C. KURIAKOSE, J.

CRP.Nos. 2026, 2027, 2028, 2029, 2030 & 2043 OF 2000

Dated this the 6th day of August, 2007

O R D E R

In all these civil revision petitions the order of the Taluk Land Board, Trivandrum dated 24-4-2000 in LB(B)2-24/88 is under challenge. The grounds commonly raised is that the directions issued by this court in the judgment in a previous civil revision petition filed by the petitioners to reconsider the case of the petitioner in the light of the documents produced by them have been violated. The Learned Government Pleader would submit that there were a number of other claims in the very same ceiling case and many of those claims were upheld by the Taluk Land Board on the basis of documents produced by those claims. In these cases claims had to be rejected for want of convincing materials. Counsel for the petitioners would submit that documents actually produced will go to show that the claims of tenancy set up by the petitioners are valid and that the claimants will be able to produce further evidence if yet another opportunity is given.

2. Having regard to the submissions addressed I am of the view that the Taluk Land Board can be directed to give one last opportunity to all the claimants to produce further documentary evidence if any and to reconsider the cases on the basis of the evidence already on

record and the documentary evidence to be produced pursuant to this judgment. Accordingly I set aside the order of the Taluk Land Board under challenge in these revision petitions and direct the Taluk Land Board to take a fresh decision. The Taluk Land Board will give one opportunity for production of documentary evidence by claimants. The claimants will produce whatever documentary evidence they have and thereafter the Taluk Land Board will hear the parties and pass orders. The parties should be directed to submit written arguments and the Land Board will pass fresh orders addressing the arguments raised in the written arguments. The outer time limit for producing documentary evidence by the petitioners is one month from the date of receiving notice from the Taluk Land Board and for passing final orders by the Taluk Land Board will be three months thereafter.

(PIUS C.KURIAKOSE, JUDGE)

ksv/

PIUS C. KURIAKOSE, J.

CRP.Nos. 2026, 2027, 2028,
2029, 2030 & 2043 OF 2000

O R D E R

6th August, 2007